

No. 11(112)-80-3Lab/5595.—In pursuance of the provisions of section 17 of the Industrial Disputes Act, 1947 (Act. No. XIV of 1947) the Governor of Haryana is pleased to publish the following award of the Presiding Officer, Industrial Tribunal, Faridabad in respect of the dispute between the workman and the management of M/s Associated Industries, Faridabad.

BEFORE SHRI NATHU RAM SHARMA, PRESIDING OFFICER, INDUSTRIAL TRIBUNAL, HARYANA FARIDABAD

Reference No. 33 of 1979

between

SHRI SANT SINGH, WORKMAN AND THE MANAGEMENT OF M/S ASSOCIATED INDUSTRIES, FARIDABAD

Present.—

Shri Amar Singh Sharma, for the workman.

Shri R. C. Sharma, for the management.

AWARD

1. By order No. 11/191-78/2217, dated 11th January, 1979 the Governor of Haryana referred the following dispute between the management of M/s Associated Industries, Faridabad and its workman Shri Sant Singh, to this Tribunal, for adjudication in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act.

Whether the termination of services of Shri Sant Singh was justified and in order? If not, to what relief is he entitled?

2. On receipt of the order of reference, notices were issued to the parties. The parties appeared and filed their pleadings. On the pleadings of the parties, issues were framed on 28th May, 1979 and case was fixed for the evidence of the management. The management examined Shri Baljeet Singh their Managing partner as MW-1 and closed their case. Then the case was fixed for the evidence of the workman. The workman examined himself as WW-1 and closed his case. Then the case was fixed for arguments. It was at this stage that a settlement was arrived at. The workman agreed that if the management paid to the workman a sum of Rs. 2,200 only which shall include the amount of gratuity also he shall give up his dispute. In addition to this the management shall pay to the workman unpaid wages, earned leave wages, if any due and thereupon the workman shall have no claim. The representative for the management also agreed and prayed an award in terms of the settlement. I, therefore, give my award that the workman is entitled to receive from the management a sum of Rs. 2,200 only which sum shall include his gratuity. If some unpaid wages or earned leave wages are due to the workman from the management, the management shall also pay the same and thereupon the workman shall have no other claim whatsoever. He shall not be entitled to reinstatement or re-employment, neither he shall be entitled to any other relief.

The 3rd April, 1980

NATHU RAM SHARMA,

Presiding Officer,
Industrial Tribunal,
Haryana, Faridabad.

No. 309, dated 7th April, 1980.

Forwarded (four copies) to the Secretary to Government, Haryana, Labour and Employment Departments, Chandigarh as required under section 15 of the Industrial Disputes Act, 1947.

NATHU RAM SHARMA,
Presiding Officer,
Industrial Tribunal,
Haryana Faridabad.

No. 11(112)-80-3Lab/5596.—In pursuance of the provision of section 17 of the Industrial Disputes Act, 1947 (Act No. XIV of 1947), the Governor of Haryana is pleased to publish the

following award of the Presiding Officer, Industrial Tribunal, Faridabad in respect of the dispute between the workman and the management of M/s Amar-Son Pal and Co., NIT, Faridabad.

BEFORE SHRI NATHU RAM SHARMA, PRESIDING OFFICER, INDUSTRIAL TRIBUNAL
HARYANA, FARIDABAD

Reference No. 120 of 1979

between

SHRIMATI KHEMA BAI, LADY WORKER AND THE MANAGEMENT OF M/S. AMAR-
SON PAL AND CO., NIT, FARIDABAD

Present.—

Shri Bhim Singh Yadav, for the lady worker.

Shri A. J. S. Chadha, for the management.

AWARD

1. By order No. 11/70-79/15062, dated 2nd April, 1979, the Governor of Haryana referred the following dispute between the management of M/s Amar-Son Pal and Co., NIT, Faridabad and its workman Shrimati Khema Bai, to this Tribunal, for adjudication, in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947:—

Whether the termination of services of Shrimati Khema Bai was justified and in order ? If not, to what relief is she entitled ?

2. On receipt of the order of reference, notices were issued to the parties. The parties appeared and filed their pleadings. On the pleadings of the parties, issues were framed on 6th December, 1979 and the case was fixed for the evidence of the parties. Lastly the representative for the workman stated that the lady worker has received her full and final account from the management and she did not like to proceed with the reference. I, therefore, give my award that the lady worker has received her full and final settlement of her dispute. She is not entitled to any relief and now there is no dispute between the parties.

NATHU RAM SHARMA,

Presiding Officer,
Industrial Tribunal, Haryana,
Faridabad.

No. 309, dated 7th April, 1980.

Forwarded (four copies) to the Secretary to Government, Haryana, Labour and Employment Departments, Chandigarh, as required under section 15 of the Industrial Disputes Act, 1947.

NATHU RAM SHARMA,

Presiding Officer,
Industrial Tribunal, Haryana,
Faridabad.

No. 11(112)-80-3Lab/5597.—In pursuance of the provision of section 17 of the Industrial Disputes Act, 1947 (Act No. XIV of 1947) the Governor of Haryana is pleased to publish the following award of the Presiding Officer, Industrial Tribunal, Faridabad in respect of the dispute between the workman and the management of M/s K. K. Spun Pipe Co., Tigaon Road, Ballabgarh.

BEFORE SHRI NATHU RAM SHARMA, PRESIDING OFFICER INDUSTRIAL TRIBUNAL
HARYANA, FARIDABAD.

Reference No. 324 of 1978

between

SHRI BIRAMA NAND, WORKMAN AND THE MANAGEMENT OF M/S. K. K. SPUN
PIPE CO., TIGAON ROAD, BALLABGARH.

Present.—

Shri Bhim Singh Yadav, for the workman.

Shri G.S. Chaudhary, for the management.

AWARD

1. By order No. ID/BLB/57-78/37474, dated 11th August, 1978, the Governor of Haryana referred the following dispute between the management of M/s. K. K. Spun pipe Co. Tigaon Road, Fallahgarh and its workman Shri Birama Nand, to this Tribunal, for adjudication, in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947:—

Whether the termination of services of Shri Birama Nand was justified and in order? If not, to what relief is he entitled?

2. On receipt of the order of reference, notices were issued to the parties. The parties appeared and filed their pleadings. On the pleadings of the parties, issues were framed on 24th June, 1979. Thereafter three more issues were framed on 5th August, 1979 and the case was fixed for the evidence of the management. The management applied for amending their written statement which was ordered subject to payment of costs and the management filed amended written statement. It was at this stage that a settlement was arrived at. According to which the management paid to the workman a sum of Rs 900 only which satisfied the dispute. I, therefore, give my award that the management had paid to the workman a sum of Rs 900 only and now there is no dispute between the parties. The workman is not entitled to any relief.

NATHU RAM SHARMA,

Dated 3rd April, 1980

Presiding Officer,
Industrial Tribunal, Haryana,
Faridabad.

No. 308, dated 7th April, 1980

Forwarded (four copies) to the Secretary to Government, Haryana, Labour and Employment Departments, Chandigarh, as required under section 15 of the Industrial Disputes Act, 1947.

NATHU RAM SHARMA,

Presiding Officer,
Industrial Tribunal, Haryana,
Faridabad.

No. 11(112)-80-3 Lab/5599.—In pursuance of the provision of section 17 of the Industrial Dispute Act, 1947 (Act No. XIV of 1947) the Governor of Haryana is pleased to publish the following award of the Presiding Officer, Industrial Tribunal, Faridabad in respect of the dispute between the workman and the management of M/s Excelsior Plants Corporation Ltd., NIT, Faridabad.

BEFORE SHRI NATHU RAM SHARMA, PRESIDING OFFICER, INDUSTRIAL TRIBUNAL,
HARYANA, FARIDABAD

Reference No. 176 of 1978

between

SHRI SANTOSH KUMAR, WORKMAN AND THE MANAGEMENT OF M/S. EXCELSIOR
PLANTS CORPORATION LTD., NIT, FARIDABAD

Present.—

Shri Adarsh Kishore, for the workman.

Shri A. J. S. Chadha, for the management.

AWARD

1. By order No. FD/40-78/30112, dated 30th June, 1978 the Governor of Haryana referred the following dispute between the management of M/s. Excelsior Plants Corporation Ltd., NIT.,

Faridabad and its workman Shri Santosh Kumar, to this Tribunal, for adjudication, in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947:—

Whether the termination of services of Shri Santosh Kumar was justified and in order?
If not, to what relief is he entitled?

2. On receipt of the order of reference, notices were issued to the parties. The parties appeared and filed their pleadings. On the pleadings of the parties, following issues were framed on 11th January, 1979:—

1. Whether the termination of services of the workman was justified and in order?
2. If not, to what relief is he entitled?

And the case was fixed for the evidence of the management. The management obtained three adjournments but produced no evidence. On 7th June, 1979, the representative for the management stated that the management company had gone in liquidation and official liquidator had been appointed who may be made party and that the management shall not proceed hereafter. The workman was directed to apply for making the liquidator as party to this reference. Then a notice was ordered to the management to give the address of the liquidator. But the management did not appear. Then notice was given to the representative for the management, to appear, and to file a copy of the order of appointment of the liquidator, otherwise the management shall be proceeded against *ex parte*. Notice was served on the representative for the management who made an endorsement on the notice that he was no longer representing the management in the case. Therefore, *ex parte* proceedings were ordered against the management and the case was fixed for *ex parte* evidence of the workman. The workman examined himself and stated that he was employed since 16th May, 1977 and caused no complaint and the management terminated his services all of a sudden without issuing any chargesheet or defence opportunity. Juniors to the workman were working in the factory. The workman closed his case. Arguments were heard in the circumstances. I give my award that the termination of services of the workman was neither justified, nor in order. He is entitled to reinstatement with continuity of service and with full back wages. Neither the management, nor his representative defended the dispute raised by the workman on any ground, nor produced by copy of the appointment of liquidator or petition for liquidator.

NATHU RAM SHARMA,

Presiding Officer,
Industrial Tribunal, Haryana,
Faridabad.

No. 307, dated 3rd April, 1980.

Forwarded (four copies) to the Secretary to Government, Haryana Labour and Employment Departments, Chandigarh, as required under section 15 of the Industrial Disputes Act, 1947.

NATHU RAM SHARMA,

Presiding Officer,
Industrial Tribunal Haryana,
Faridabad.

No. 11(112)-80-3 Lab/5601.—In pursuance of the provision of section 17 of the Industrial Disputes Act, 1947 (Act. No. XIV of 1947) the Governor of Haryana is pleased to publish the following award of the Presiding Officer, Industrial Tribunal, Faridabad in respect of the dispute between the workman and the management of M/s Pharmachem Laboratories, Mathura Road, Faridabad.

BEFORE SHRI NATHU RAM SHARMA, PRESIDING OFFICER, INDUSTRIAL TRIBUNAL,
HARYANA, FARIDABAD.

Reference No 401 of 1978

between.

SMT. SAN [REDACTED] KUMARI LADY WORKER AND THE MANAGEMENT OF M/S.
[REDACTED] PHARMACHEM LABORATORIES, MATHURA ROAD, FARIDABAD.

Present :—

Shri Bhim Singh Yadav, for the lady worker.

None for the management.

AWARD

1. By order No. ID/FD/128-78/40121, dated 31st August, 1978, the Governor of Haryana referred the following dispute between the management of M/s. Pharmachem Laboratories, Mathura Road, Faridabad and its workman Smt. Santosh Kumari, to this Tribunal, for adjudication, in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 :—

Whether the termination of services of Shrimati Santosh Kumari was justified and in order? If not, to what relief is he entitled?

2. On receipt of the order of reference, notices were issued to the parties. The parties appeared and filed their pleadings. On the pleadings of the parties, following issues were framed on 12th November, 1979 :—

1. Whether the workman abandoned the job of his own?
2. If issue No. 1 is not provided, whether the termination of services of the workman was justified and in order?
3. Relief.

And the case was fixed for the evidence of the management. The management obtained adjournment subject to payment of costs. The management had sent a telegram on the ground that dealing person was out of station. The ground was not a sufficient ground. The management had not paid even previous costs, but again considering the ends of justice, the management was granted adjournment subject to payment of further costs. But the management did not appear even thereafter. Hence the management was proceeded against *ex parte* and *ex parte* evidence of the worker lady was recorded. The worker lady stated as WW-1 that she was employed as a sweeper at Rs. 165 P.M. as wage from 1st June, 1973 and the management terminated her services without any justification or chargesheet or showcause notice. Conciliation proceedings were started but the management refused to take her in service. She was unemployed since then despite her efforts to seek job. I, believe in the *ex parte* evidence of the worker lady and give my award that the termination of services of Smt. Santosh Kumari was neither justified, nor in order. She is entitled to reinstatement with continuity of service and with full back wages. I order accordingly setting aside the termination of her services.

Dated 3rd April, 1980

NATHU RAM SHARMA,

Presiding Officer,
Industrial Tribunal, Haryana,
Faridabad.

No. 304, dated 7th April, 1980

Forwarded (four copies) to the Secretary to Government, Haryana, Labour and Employment Departments, Chandigarh as required under section 15 of the Industrial Disputes Act, 1947.

NATHU RAM SHAAMA,

Presiding Officer,
Industrial Tribunal, Haryana,
Faridabad.

No. 11(112)-80-3Lab/5608.—In pursuance of the provision of section 17 of the Industrial Disputes Act, 1947 (Act XIV of 1947) the Governor of Haryana is pleased to publish the following award of the Presiding Officer, Industrial Tribunal Faridabad in respect of the dispute between the workman and the management of M/s. Capital Rubber and Plastic NIT, Faridabad.

BEFORE SHRI NATHU RAM SHARMA, PRESIDING OFFICER, INDUSTRIAL
TRIBUNAL, FARIDABAD

Reference No. 9 of 1980

between

THE WORKMEN AND THE MANAGEMENT OF M/s. CAPITAL RUBBER AND PLASTIC NIT, FARIDABAD

Present :

None for the workman.

Shri M. K. Sharma, for the management.

AWARD

1. By order No. ID/FD/48-79/3778, dated 23rd January, 1980, the Governor of Haryana referred the following dispute between the management of M/s Capital Rubber and Plastic NIT, Faridabad and its workmen, to this Tribunal, for adjudication, in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 :

Whether the workmen are entitled to the grant of annual increments ? If so, with details ?

2. On receipt of the order of reference, notices were issued to the parties. The management appeared but the workman did not appear despite service. The case was dismissed in default. I, therefore, give my award that the workmen are not entitled to any relief and there is no dispute between the parties.

NATHU RAM SHARMA,

Presiding Officer,
Industrial Tribunal, Haryana,
Faridabad.

No. dated

Forwarded (four copies) to the Secretary to Government, Haryana, Labour and Employment Departments, Chandigarh as required under section 15 of the Industrial Disputes Act.

NATHU RAM SHARMA,

Presiding Officer,
Industrial Tribunal, Haryana,
Faridabad.

No. 11(112)-80-3 Lab/5609.—In pursuance of the provision of section 17 of the Industrial Disputes Act, 1947 (Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of the Presiding Officer, Industrial Tribunal, Faridabad in respect of the dispute between the workman and the management of M/s Snowtemp. Engg. Co. Ltd., Faridabad.

BEFORE SHRI NATHU RAM SHARMA, PRESIDING OFFICER, INDUSTRIAL
TRIBUNAL, HARYANA, FARIDABAD

Complaint No. 10 of 1979 under the Industrial Disputes Act, 1947

between

SHRI MOHAR PAL SHARMA COMPLAINANT AND THE MANAGEMENT OF M/S. SNOWTEMP. ENGG. CO. LTD., FARIDABAD.

AWARD

1. The workman filed this complaint under section 33-A of the Industrial Disputes Act. Notice of the complaint was given to the management respondent who appeared and filed their pleadings. On the pleadings of the parties issues were framed on 27th August, 1979. The management filed documents as there was no contravention of section 33. The representative

for the workman withdrew the complaint. Withdrawal was permitted. I, therefore, dismiss the complaint as withdrawn.

Dated the 26th March, 1980.

NATHU RAM SHARMA,

Presiding Officer,
Industrial Tribunal Haryana
Faridabad.

No. 296, dated the 31st March, 1980

Forwarded (four copies) to the Secretary to Government of Haryana, Labour and Employment Departments, Chandigarh as required under the Industrial Disputes Act, 1947.

NATHU RAM SHARMA,

Presiding Officer,
Industrial Tribunal, Haryana,
Faridabad.

No. 11 (112)-80-3 Lab/5610.—In pursuance of the provision of section-17 of the Industrial Disputes Act, 1947 (Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of the Presiding Officer, Industrial Tribunal, Faridabad in respect of the dispute between the workman and the management of M/s Precision Steel and Engineering Works, Mathura Road, Faridabad.

BEFORE SHRI NATHU RAM SHARMA, PRESIDING OFFICER, INDUSTRIAL TRIBUNAL HARYANA, FARIDABAD

Reference No. 348 of 1979

between
SHRI JAWAHAR LAL TIWARI, WORKMAN AND THE MANAGEMENT OF M/S.
PRECISION STEEL AND ENGINEERING WORKS, MATHURA ROAD, FARIDABAD

Present.—

None for the workman

Shri P. C. Jain, for the management.

AWARD

1. By order No. ID/52419, dated 11th December, 1979, the Governor of Haryana referred the following dispute between the management of M/s. precision Steel and Engineering Works Mathura Road, Faridabad and its workman Shri Jawahar Lal, to this Tribunal, for adjudication, in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947: —

Whether the termination of services of Shri Jawahar Lal was justified and in order? If not, to what relief is he entitled?

2. On receipt of the order of reference, notices were issued to the parties. Two times notices were sent to the workman. The management had appeared. There was a report of the process server that there was no office of the Sangarsh Samiti. The case was dismissed in default. I, therefore, give my award that there is no dispute between the parties.

NATHU RAM SHARMA,

Dated the 26th March, 1980

Presiding Officer,
Industrial Tribunal Haryana,
Faridabad.

No. 293, dated the 31st March, 1980

Forwarded (four copies,) to the Secretary to Government, Haryana, Labour & Employment Departments, Chandigarh as required under section 15 of the Industrial Disputes Act.

NATHU RAM SHARMA,

Presiding Officer,
Industrial Tribunal, Haryana,
Faridabad.